

MEDIA RELEASE

June 2022



Minimum Age of Detention

The Commissioner for Children and Young People Leanne McLean today welcomed the Tasmanian Government's announcement to raise the minimum age of youth detention to 14 years.

"This is a positive step in the right direction but more reforms are still needed," Ms McLean said.

"This shift in the age at which children may be held in detention is particularly important because it will apply to children on remand as well as in sentenced detention.

"Raising the age of detention does serve to reinforce the general principle that detention for children should only be used as a last resort and that for young children it is totally inappropriate.

"However, harms to young children associated with contact with the youth justice system are not restricted to time spent in detention.

"A higher age of detention would not, for example, prevent a child of 10 being arrested and held in an adult reception prison pending police investigation."

Ms McLean said a reception prison is no place for a child and can negatively impact their wellbeing as well as their rehabilitation.

"Overwhelmingly, evidence tells us that children do better when they are kept out of the formal criminal justice system for as long as possible."

Ms McLean stressed that there is a growing body of research around how governments could raise the minimum age of criminal responsibility, and the additional supports that must be in place to do so responsibly.

"In coming months, I will provide comprehensive advice to the Tasmanian Government on this matter.

"Raising the age of detention will not in itself prevent children from becoming involved in the system in the first place.

"Changing outcomes for children and young people is about investing in early intervention, prevention and rehabilitation programs which tackle the causes of harmful behaviour and help reduce the risk that a child will offend.

Media Contact: A.Mark Thomas, M&M Communications, 0422 006 732

**Commissioner
for Children and
Young People**

L1 – 119 Macquarie St
Hobart TAS
Australia 7000

GPO Box 708
Hobart TAS
Australia 7001

childcomm@childcomm.tas.gov.au
+61 (03) 6166 1366
www.childcomm.tas.gov.au

 @commissionerforchildrentas
 @Child_Comm_Tas



“As I have said previously, this will require complex reforms across the array of services for children and families.”

For more information see the Commissioner’s submission to the Government’s Youth Justice Blueprint at <https://bit.ly/YJsubmission22>.